

ASSEMBLY BILL

No. 982

Introduced by Assembly Member Skinner

February 18, 2011

An act to add Chapter 13 (commencing with Section 25990) to the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 982, as introduced, Skinner. Energy: Solar Energy Parks Program.

Existing law, with respect to the California Solar Initiative, requires the State Energy Resources Conservation and Development Commission (Energy Commission), in consultation with the Public Utilities Commission, local publicly owned electric utilities, and interested members of the public, to establish eligibility criteria for solar energy systems receiving ratepayer funded incentives.

This bill would enact the Solar Energy Parks Act that would establish a program for solar energy parks on state lands for the advancement, development, assessment, and installation of commercial concentrating solar power energy systems. The bill would require the Energy Commission, in consultation with the State Lands Commission and the Public Utilities Commission, to determine lands that are suitable for the installation of concentrating solar power energy systems based on specified criteria.

This bill would require the Energy Commission, in consultation with the State Lands Commission, to consult with the United States Secretary of the Interior for possible exchange of lands to be used in the program, and to establish criteria for application processes for project developers of the solar energy parks. The bill would establish a rental fee for a

commercial solar energy park development right-of-way grant, and a lease term of not less than 30 years.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 13 (commencing with Section 25990) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 13. SOLAR ENERGY PARKS PROGRAM

25990. (a) This chapter shall be known, and may be cited, as the Solar Energy Parks Act.

(b) It is the policy of the state to promote a program for solar energy parks on state lands for the advancement, development, assessment, and installation of commercial concentrating solar power energy systems.

25991. (a) By April 1, 2012, the commission and the State Lands Commission shall submit to the Governor both of the following:

(1) A determination of federal lands managed by the federal Bureau of Land Management (BLM), and which are not already encumbered by applications or rights of way, that may be suitable for the installation of projects for 10 gigawatts (GW) of commercial concentrating solar power energy systems.

(2) A determination of state-owned lands equal in size to the federal lands identified in paragraph (1), and which are not already encumbered by applications or rights of way, that may be exchanged with the BLM lands, which would thereafter become state-owned lands.

(b) The commission shall make the determination of site suitability for the installation of commercial concentrating solar power energy systems in consultation with the State Lands Commission and the Public Utilities Commission.

(1) A site shall be assessed for all of the following:

(A) Existence of high insolarity.

(B) Access to water.

(C) Access to existing or planned transmission lines and natural gas pipelines.

1 (D) Avoidance of wilderness areas, areas of critical
2 environmental concern, United States Park System lands, and other
3 environmentally sensitive areas.

4 (E) Suitability for a variety of concentrating solar power
5 technologies.

6 (2) Each site identified as suitable for the installation of
7 commercial concentrating solar power systems shall be sufficient
8 for the installation of at least 1 GW.

9 (3) In aggregate, sites determined suitable by the commission,
10 with the concurrence of the State Lands Commission, shall be
11 sufficient for the installation of 10 GW of concentrating solar
12 power.

13 25992. (a) The commission and the State Lands Commission
14 shall consult with the United States Secretary of the Interior on
15 the implementation of the exchange of lands for concentrating
16 solar energy parks of 10 GW. The commission shall make best
17 efforts to complete the exchange of lands within 180 days after
18 the identification of those lands and formal consultation with the
19 United States Secretary of the Interior.

20 (b) Prior to the transfer of title to the state, the commission, in
21 consultation with the State Lands Commission, shall establish
22 criteria for individual application processes for project developers
23 and shall establish project development milestones to ensure due
24 diligence in the development of the solar energy parks.

25 (c) The commission, in consultation with the State Lands
26 Commission, shall complete all necessary environmental surveys,
27 and compliance and permitting processes for a programmatic right
28 of way pursuant to the California Environmental Quality Act
29 (Division 13 (commencing with Section 21000)), within one year
30 of the exchange of lands with the BLM.

31 25993. (a) The commission shall ensure that all solar energy
32 park project applications submitted by individual developers or
33 applicants pursuant to this chapter are permitted utilizing expedited
34 permitting processes and shall approve or deny lease applications
35 within six months. Any additional costs created by utilizing
36 expedited permitting processes, and any environmental mitigation
37 costs incurred to develop solar power on these lands, shall be
38 recoverable from applicants who are developing projects within
39 the solar energy parks. An application for use of state-owned land
40 may not be approved by the commission unless the applicant has

1 a power purchase agreement with a utility with a term of at least
2 10 years and a pending or approved application with a permitting
3 authority having jurisdiction to provide all necessary permits for
4 the construction and operation of the solar energy project.

5 (b) The rental fee for a commercial solar energy park
6 development right-of-way grant is established at two hundred
7 dollars (\$200) per acre for the first year of operation, increasing
8 25 percent after the first five years, and increasing 25 percent in
9 the 10th year of the program, to be paid in annual payments
10 commencing on the day of operation. During the development and
11 construction phase of a project, the rental fee shall be waived. A
12 lease for a project within the concentrating solar energy parks
13 program shall be for a term of not less than 30 years.

14 25994. The commission shall, in consultation with the State
15 Lands Commission, the Public Utilities Commission, the Federal
16 Energy Regulatory Commission, affected utility industries and
17 authorities, and other interested agencies and persons, identify
18 necessary gas and electric transmission upgrades to the identified
19 solar energy parks pursuant to this chapter.